



The State Bar of California Environmental Law Section

# ENVIRONMENTAL LAW SPRING ROUNDTABLES

12<sup>th</sup> Annual Spring Roundtables on Contaminated Sites

***JUNE 8 to 10, 2007***

Manchester Grand Hyatt San Diego  
1 Market Place, San Diego, California

**7 Hours MCLE Credit**

Register Online [www.calbar.ca.gov/enviro](http://www.calbar.ca.gov/enviro)





## The Environmental Law Section 12<sup>th</sup> Annual Spring Roundtables

The Environmental Law Section of the State Bar of California presents its **2007 Spring Roundtables on Contaminated Sites**. Join your environmental law colleagues in sunny San Diego for an engaging annual dialogue and special activities.

This year's **Contaminated Sites Roundtables** will focus on important updates on state and federal cost recovery litigation, *Brownfield* regulatory reform, evaluating and managing vapor intrusion risks, and redevelopment agencies and redevelopment law, including the Polanco Act and *Kelo* aftermath.

The **Roundtables** are aimed at experienced attorneys with significant expertise (i.e., five or more years of practice) in their respective areas—law and policy or contaminated site cleanup, to redevelopment practices. Roundtables are interactive discussions, limited to 35 attendees. Each attendee will be expected to make significant contributions to the roundtable discussions, including at least 10 to 15 minutes of personal commentary on the program topics.

A limited number of tuition-only scholarships may be available. For more information contact Carol Zlongst, Meeting & Event Administrator, at (415) 538-2585 or by e-mail at [Carol.Zlongst@calbar.ca.gov](mailto:Carol.Zlongst@calbar.ca.gov).

*The State Bar of California and the Environmental Law Section are State Bar of California approved MCLE providers.*

### The Environmental Law Section Thanks the Roundtable Sponsors

**Bryan Cave LLP**

**EnviroGroup Limited**

# Schedule of Events

## Friday, June 8, 2007

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- 1:00 pm – 4:30 pm Registration and MCLE Sign In
- 2:30 pm – 2:45 pm Introductions and Program Overview  
*Gregory D. Trimarche*, Program Chair, Bryan Cave LLP
- 2:45 pm – 4:15 pm Roundtable Session 1 (1.5 hour MCLE Credit)  
**UPDATE ON STATE AND FEDERAL COST RECOVERY LITIGATION**  
Moderator: Professor *Ronald G. Aronovsky*, Southwestern School of Law
- a. CERCLA Section 107 vs. 113-*Aviall, Atlantic Research Corp.*, etc.
  - b. BRERA defenses and “all appropriate inquiry”
  - c. NCP compliance and other “technical” defenses
  - d. California nuisance and trespass law: unwieldy tools for the job?
- 4:15 pm – 4:30 pm Break
- 4:30 pm – 6:00 pm Roundtable Session 2 (1.5 hour MCLE Credit)  
**REDEVELOPMENT AGENCIES & REDEVELOPMENT LAW**  
Moderator: *Richard G. Oppen*, Oppen & Varco LLP
- a. Polanco Act: update on case law and other recent developments
  - b. Unique issues for projects in redevelopment areas
  - c. Takings issues: *Kelo* and aftermath
- 6:00 pm – 8:00 pm Welcome Reception *hosted by Bryan Cave LLP*

## Saturday, June 9, 2007

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- 8:00 am – 9:00 am Continental Breakfast and MCLE Sign In  
*Hosted by EnviroGroup Limited*
- 9:00 am – 10:30 am Roundtable Session 3 (1.5 hour MCLE Credit)  
**EVALUATING AND MANAGING VAPOR INTRUSION RISKS**  
Moderator: *David J. Folkes, P.E.*, EnviroGroup Limited
- a. Difficulties in measuring and modeling indoor air quality impacts
  - b. Recent developments in regulations and guidances: EPA, CA, NY, etc.
  - c. Mitigation measures: remediation, institutional controls, depressurization, etc.
- 10:30 am – 10:45 am Break
- 10:45 am – 12:15 pm Roundtable Session 4 (1.5 hour MCLE Credit)  
**BROWNFIELD REFORM IN CALIFORNIA—CAN WE OPEN OUR EYES NOW?**  
Moderator: *Stuart I. Block*, Cox, Castle & Nicholson LLP
- a. Immunity under CLRRRA: worth the effort?
  - b. The evolution of cleanup standards: era of the CHHSLS?
  - c. Other recent initiatives
- 6:00 pm – 8:00 pm Sunset Reception

## Sunday, June 10, 2007

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- 8:00 am – 9:00 am Continental Breakfast and MCLE Sign In



9:00 am – 10:30 am



### **WALKING TOUR AND LECTURE (1 hour MCLE Credit)**

Facilitator: *Richard G. Oppen*, Oppen & Varco LLP

Tour of Petco Park and other significant downtown San Diego redevelopment projects with narration by Richard Oppen, the architect of the Petco Park clean-up strategy.

CONFERENCE ADJOURNS

## **Registration Information**

### **Registration: June 1, 2007 Deadline**

Registration is limited to 35 people. Register on or before June 1, 2007 to secure your seat! Fees are \$295 for members of the Environmental Law Section and \$355 for non-members of the Section. Registration fee includes the education sessions, program materials, Saturday and Sunday continental breakfasts, Friday and Saturday evening receptions, and guided tour. The non-member registration fee includes membership for the remainder of 2007.

Send Form To:

Program Registrations, State Bar of California, 180 Howard Street, San Francisco, CA 94105  
Fax: (415) 538-2368

### **Registration Information**

For registration information, please call (415) 538-2508.

### **Program Content Information**

For program content information, please call Environmental Law Section (415) 538-2582.

### **Special Assistance**

If you require special assistance, please call (415) 538-2585.

### **Cancellations: June 1, 2007**

A refund (less a non-refundable fee of \$50) will be made for all registration and/or ticket cancellations received in writing by **June 1, 2007**. No refunds will be made for cancellations after that date.

### **Hotel Reservations—May 8, 2007**

A block of rooms has been reserved at the Manchester Grand Hyatt San Diego at the group rate of \$249 single, \$274 double, or \$299 triple occupancy per night, plus applicable taxes. To make reservations, telephone the hotel toll free at 1-800-233-1234 or direct at 619-232-1234 before the **May 8, 2007** deadline. One night's deposit (check or credit card) is required to guarantee your room. Be sure to identify yourself as part of the State Bar of California Environmental Law Spring Roundtables Program to confirm the special group rate. Reservations made after **May 8** will be accommodated on a space available basis at prevailing rates.



Manchester Grand Hyatt San Diego  
1 Market Place, San Diego, CA 92101  
[www.manchestergrand.hyatt.com](http://www.manchestergrand.hyatt.com)



# The Environmental Law Section 12th Annual Spring Roundtables June 8-10, 2007

## REGISTRATION FORM

Note: one registrant per form; photocopies may be used.

Bar Number \_\_\_\_\_

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_

E-mail Address\* \_\_\_\_\_

\*Required for e-mail confirmation

### Your name and address may be disclosed

☐ Check here if you do not want your information released.

### Program Registration Fee

☐ Members of the Environmental Law Section \$295

☐ Non-Section Members \$355\*\*

\*\*Includes enrollment in the Environmental Law Section for 2007

### Credit Card Information (VISA/MasterCard Only)

I/we authorize the State Bar of California to charge my/our program registration to my/our VISA/MasterCard account. (No other credit card will be accepted.)

Account Number \_\_\_\_\_

Expiration Date \_\_\_\_\_

Cardholder's Name \_\_\_\_\_

Cardholder's Signature \_\_\_\_\_

### Deadline

In order to pre-register, your form and check, payable to the **State Bar of California**, or credit card information, must be received by June 1, 2007.

### Cancellations/Refund Policy

Cancellations and requests for refunds must be received in writing no later than June 1, 2007 and are subject to a \$50 service charge. Refunds will not be available after this date.

### Mail

Program Registrations, State Bar of California, 180 Howard Street, San Francisco, CA 94105

### Fax

Program Registrations at 415-538-2368. In order to fax your registration, credit card information is mandatory. **(Photocopies of checks will not be accepted.)**

**REGISTER ONLINE AT [WWW.CALBAR.CA.GOV/ENVIRO](http://WWW.CALBAR.CA.GOV/ENVIRO)**